

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JONATHAN WILLIAMS, <i>et al.</i>	:	
Plaintiffs,	:	
	:	
v.	:	CIVIL ACTION NO. 23-CV-1320
	:	
LIEUTENANT MAYNARD, <i>et al.</i>	:	
Defendants.	:	

ORDER

AND NOW, this 23rd day of May, 2023, upon consideration of Jonathan William’s Motion to Proceed *In Forma Pauperis* (ECF No. 4), Prisoner Trust Fund Account Statement (ECF No. 5), and *pro se* Complaint (ECF No. 1), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. Jonathan Williams, #72981-509, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Warden of the Philadelphia Federal Detention Center (“FDC”) or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Williams’s inmate account; or (b) the average monthly balance in Williams’s inmate account for the six-month period immediately preceding the filing of this case. The Warden or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Williams’s inmate trust fund account exceeds \$10.00, the Warden or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month’s income credited to Williams’s inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

3. The Clerk of Court is **DIRECTED** to send a copy of this Order to the Warden of the FDC.
4. The Complaint is **DEEMED** filed.
5. Williams's Complaint is **DISMISSED** for the reasons stated in the Court's Memorandum, as follows:
 - a. All claims asserted on behalf of Mr. Fleming are **DISMISSED WITHOUT PREJUDICE** to Mr. Fleming bringing those claims in a separate civil action if he so chooses.
 - b. All claims asserted by Williams on behalf of himself are **DISMISSED WITH PREJUDICE** for failure to state a claim, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).
7. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/Wendy Beetlestone, J.

WENDY BEETLESTONE, J.